C.S.1001

P.R. No. 145/06
Presented by Shri Bhashkar Payshi
dated 10/1/06

(1)
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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 146 OF 2006

PETITIONER : Yogendra Pal, S/o late Shri Chetan Ram Pal, Aged about 26 years, R/o Dabripara Pratap Chowk Bilaspur (C.G.).

VERSUS

RESPONDENT :
1 State of Chhattisgarh, Through: the secretary Deparetment of Water resources D.K.S. Bhawan Raipur (C.G.)

2. Executive Engineer Water Resources Division Chui Khadan, District Rajnandgaon (C.G.)

3. The State of Madhya Pradesh, Through: the Secretary, Department of Water Resources, Vallabh Bhawan Bhopal (M.P.)

RECEIVED-COPY
10/01/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS OR APPROPRIATATE ORDER/DIRECTION ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

W.P. No. 1646/06

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-1-2006 Petitioner by Shri Bhaskar Payasi, Advocate. Shri Vivek Sharma, for the State/respondents. With consent, heard finally. This case relates to compassionate appointment consequent upon the death of an employee serving in the State. Learned counsel for the petitioner categorically stated that, the death of the employee has occurred on 7-10-1999 i.e. after 1-11-1997 and not earlier. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also. Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time. In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of the employee concerned. If the petitioner found eligible, appointment orders will be issued as early as possible on or before 30th April, 2006. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court. With the aforesaid observations, this petition stands disposed of. Conseqnently M.W.P. No. 434/2006 also stands disposed of. Certified copy as per rules. Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance. Sd/- Fakhruddin Judge	

[पीछे देखिये